LOK SABHA DEBATES

LOK SABHA

Tuesday, March 17, 1992/Phalguna 27, 1913 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

WELCOME TO THE SPEAKER OF THE HOUSE REPRESENTATIVES OF THE PUBLIC OF TRINIDAD AND TOBAGO

[*English*]

MR. SPEAKER: Honourable Members, at the outset, I have make an announcement.

On my own behalf and on behalf of the hon. Members of the House, I have great pleasure in welcoming Her Excellency Miss Occah Seapaul, Speaker of the House of Representatives of the Republic of Trinidad and Tobago, who is on a visit to India as our honoured guest.

She arrived Delhi on 16 March, 1992 morning. She is now seated in the Special Box. We wish her a happy and fruitful stay in our country. Through her we convey our greetings and best wishes to the President. Prime Minister, the Parliament, the Government and the friendly people of the Republic of Trinidad and Tobago.

MR. SPEAKER: Question No. 285 is postponed. Now Question No. 286, Shri Sreenivasa Prasad. Shri Kodakani Gowdana Shivappa. Both are absent. Question No. 287, Shrimati Basava Rajeswari.

11.00 hrs.

ORAL ANSWERS TO QUESTIONS

[*English*]

Laws Relating to Women

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*287. SHRIMATI BASAWA RAJESWARI:
SHRI RAM NARAIN BERWA:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have recently reviewed the laws relating to women;

(b) if so, whether any loopholes have been found therein;

(c) if so, whether the Government propose to bring in amendments to plug the same; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF HOME AFFAIRS AND SPORTS AND THE REPLACEMENT OF WOMEN AND CHILD

DEVELOPMENT) (KUMARI MAMATA BANERJEE): (a) to (d). Laws relating to women are dealt with in different Ministries and Departments depending upon the subject matter. Review of the laws is a continuous process. The National Commission for Women has a mandate to examine various laws relating to women which provide constitutional and legal safe-guards to them. The Department of Women and Child Development is reviewing the four legislations with which it is concerned i. e. The Dowry Prohibition Act, 1961; the Commission of Sati (Prevention) Act, 1987; The Indecent Representation of Women (Prohibition) Act, 1986 and The Immoral Traffic (Prevention) Act. 1958. These acts were discussed in detail in a Workshop held in January 1991. The recommendation of the Workshop are under consideration.

SHRIMATI BASAVA RAJESWARI: Mr. Speaker, Sir, there are various acts like Dowry Prohibition Act, the Commission of Sati (Prevention) Act, the Indecent Representation of Women (Prohibition) Act, the Immoral Traffic (Prevention) Act etc. In spite of so many acts, the the dowry deaths, rape cases, nude processions, selling of girls to various countries and offering of girls as 'Devadasis' are on the increase. The indecent representation of women over the Television and magazines is also on the increase. So, will the hon. Minister assure me on the floor of the House that she would bring an amendment to the various laws in this Session itself to remove the loopholes? If not, why?

KUMARI MAMATA BANERJEE: Mr. Speaker, Sir, I appreciate the sentiments expressed by the hon. Member. The Government had passed so many laws in the House, but due to poor implementation, women are not getting proper justice and the atrocities are increasing day by day. This is a fact. That is why, our Department has decided to thoroughly examine the Acts. In this Session itself we wish to bring amendments to the Dowry Prohibition Act and, the Commission of Sati (Prevention) Act to make these acts more effective and more stringent.

SHRIMATI BASAVA RAJESWARI: Sir, the National Commission for Women has been set up recently under the chairmanship of Shrimati Jayanti Patnaik. I would like to know from the hon. Minister whether the Commission has the powers to examine the laws affecting women to suggest remedial measures to the Government and also to receive complaints to try such cases and call for the connected papers before Commission. When will this commission be going to give suggestions for the Government to remove various loopholes. If they have already given, what are those sugestions? If they have not given, why there is delay in giving such suggestions?

To eliminate the problem like prostitution and *devadasi*...

MR. SPEAKER: Do not do like that. If the question is too big, you will not get pointed reply.

SHRIMATI BASAVA RAJESWARI: They should make efforts to eliminate this prostitution and devadari system and indecent representation of women. The Government should think of giving economic independence to women. May I know from the hon. Minister whether the national perspective plan has given effect to such economic independence to women?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): If the hon. Member would kindly see the Act which has brought this Commission into existence, the functions of the Commission are fairly comprehensive which include all the points which the hon. Member has referred to. I do not want to waste the time of the House because it is an Act passed by the House and any hon. Members can have a reference to that.

So far as other question is concerned, as my esteemed colleague has pointed out, it is a fact, that what needs to be done has not been done to the extent it should have been done. It is in this context, the Department has undertaken a review of these laws that are in existence. Some of these laws are not being administered by this Department. But still with the other Departments, we will try to liaise and see that these Acts become effective instrument to give protection to the women of the country.

[*Translation*]

SHRI RAM NARAIN BERWA: Mr. Speaker, Sir, the hon. Minister has stated that the department of women has submitted its recommendation in January 1991. Through you, I would like to know whether the recommendations which were given in January 1991, have been given statutory effect and the Law Commission reviewed the Act in 1983 and one member of the Law commission has opined that the amendments which have been made are of very ordinary nature and are not adequately stringent. When are you going to refer it to the law commission to give it a statutory effect.

KUMARI MAMATA BANERJEE: Mr. Speaker,Sir, I would like to tell the hon. Member that in January 1991, a workshop was organized on women and child development and it gave its recommendations. The procedure is that after receiving the recommendations the Government has to examine them. The Government has examined them and a decision has been to being forward an amendment so as to make the Dowry Prohibition Act and Sati Prevention Act more strong. Through you, I request the hon. Minister to take up this matter seriously and bring forward necessary legislation.

SHRI ARJUN SINGH: The hon. Member is aware that representations to woman at the Panchayat and other levels have already been implemented in many States. A model legislation in this regard has already been suggested and one is pending before this House to be passed.

So far as Parliament and the Legislatures are concerned, this is a wider question and should be considered in the wider context.

SHRI SUNIL DUTT: All these Acts have been passed by this august House. They depict a rozy picture about the women of our country. But still the women are at a loss. There have been a lot of atrocities towards women and despite the Dowry (Prohibition) Act and Sati Prevention law that has been passed. In 1989, there were 4600 dowry death cases. There are certain lacunae in the Acts. It is the job of the Government to find out why these Act are not being implemented properly. There is tremendous suffering. There is child abuse and child prostitution. Sir, all these Acts are useless, if they are not implemented properly. So, I would like to ask the hon. Minister as to what is to be done really so that these Acts are implemented properly.

SHRI ARJUN SINGH: The hon. Member has a very creditable record entering to see that the problems concerning woman and children are attended to and I would like to compliment him on that. I would like to say very candidly that is a fact that as of today, various laws giving protection to women are not being implemented in the manner in which they should be. I have already said this point. One aspect is the amendment of those laws to make them much more stringent and laws of evidence and all that would also have to be amended so that they do not have to run from pillar to post to get the fact and to get conviction in each case. On the other hand, merely making laws alone is not going to help.You will have to creat that atmosphere in which all of us have a role, where the exploitation of women and children is not only an offence in the eyes of law but also in the eyes of the society.

SHRIMATI MALINI BHATTACHAR-

AYA: Since the Women's Commission has now been set up, we know that the examining of the various laws, their monitoring and implementation are going to be within the purview of the Women's Commission. But nonetheless, the executive duty lies with the Government and my question concerns that. It is a hard fact that so far as laws regarding women are concerned, whether they are labour laws or laws for the prevention of social abuses, very few complaints are lodged even now. And even when complaints are lodged, there are even fewer cases of conviction. So, I would like to know from the Government, from the hon. Minister, whether the Government is considering extension of legal facilities in the States so as to make justice available to women, particularly to the poorer sections of women.

SHRI ARJUN SINGH: I am sure that the Commission for Women will place its decisive role in all these matters and regarding the anxiety of the hon, Member about the implementation of the laws in the real capacity to give protection, I have already said that there is much to be desired. But we will certainly see that these laws will become more stringent. The fact is that now thre is greater sens of awareness Previously, people would not like to come and report cases. Now, cases are being reported and are being tried and convictions are also made. But I still say that more needs to be done. I am sure that the collective action of the society in this matter will make all the difference. Whatever laws have to be amended and rules to be framed will be done with the consent of this august Parliament.

Cleaning of Gangotri Basin

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*288. SHRI SHANKERSINH VAGHELA:
SHRI ATAL BIHARI VAJPAYEE:

Will the Minister of ENVIRONMENT & FORESTS be pleased to state:

(a) whether two big industrial houses have offered support for cleaning of the Gangotri basin;

(b) if so, the details thereof;

(c) the decision taken by the Government in this regard;

(d) the reasons for unchecked pollution load on the river in that area; and

(e) the steps proposed for restoring the water quality of Ganga?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) to (c). No offer has been made to the Government by any big industrial house for cleaning of Gangotri Basin.

(d) Pollution load on the river in the Gangotri region is on account of discharge of human and animal excreta in the catchment area and throwing of garbage by pilgrims, tourists and inhabitants.

(e) The steps initiated to control the pollution of River Ganga in the Gangotri region include:

(i) Special Area Development Authority has been set up by the Government of Uttar Pradesh to check environmental degra-dation of the Gangotri Region.

(ii) Growth of tourism in Gangotri Region is being discouraged.

(iii) Building activity is being discouraged in the area.

(iv) Construction of Sulabh Shauchalayas along the route to Gangotri has been taken up by the Government of Uttar Pradesh.